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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Francis Y. Lee

Docket No.: 5199-60

Serial No.: 10/766,084

Examiner: to be assigned

Filed: January 28, 2004

Group Art Unit: 3762

Title: NOVEL BONE GRAFT COMPOSITE

May 24, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §1.97(c)**

Sir:

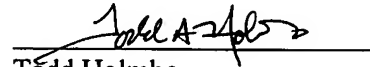
In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicant hereby notifies the U.S. Patent and Trademark Office of the following documents, which are listed on the attached PTO/SB/08A and PTO/SB/08B forms. The examiner may deem these documents to be relevant to patentability of the claims of the above-identified application. The submission of the listed documents is not intended as an admission that any of the documents constitute prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed documents as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the examiner and be made of record in the present application and that initialed a copy of forms PTO/SB/08A PTO/SB/08B be returned in accordance with MPEP §609.

It is understood that no fee is necessary for submission of this Information Disclosure Statement, because it is being filed before the later of three months from the filing date or the mailing of the first Office Action on the merits.

The Commissioner is hereby authorized to charge payment of any fees associated with this application or credit any overpayment to Deposit Account No. 02-4270.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd Holmbo", is written over a horizontal line.

Todd Holmbo

Reg. No. 42,665

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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/766,084	
	Filing Date	January 28, 2004	
	First Named Inventor	Francis Y. Lee	
	Art Unit	3762	
	Examiner Name	to be assigned	
Total Number of Pages in This Submission	5	Attorney Docket Number	5199-60

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): 6 references
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Todd Holmbo, Reg. No. 42,665	
Signature		
Date	05/13/05	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Debbie Jenkins	
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MAY 26 2005

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	10/766 084
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Filing Date	01/28/2004
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First Named Inventor	Francis Y. Lee
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Art Unit	3762
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Examiner Name

Attorney Docket Number	5199/60
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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/766,084
Filing Date	01/28/2004
First Named Inventor	Francis Y. Lee
Art Unit	3762
Examiner Name	
Attorney Docket Number	5199/60

Sheet	2	of	2
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	4	Aspenberg, P., Astrand, J. Bone allografts pretreated with a bisphosphonate are not resorbed	
	5	Campanaci, M., Baldini, N., Boriani, S., Sudanese, A., Giant Cell Tumors of Bone, J. Bone Joint Surg. (Am), 1987, 69-106-114	
	6	Fleisch H., Bisphosphonates in Bone Disease, Academic Press, 2002, Ch. 22, pp. 30-33 - Not Available.	

Examiner  
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